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8 Southwest, N.A., formerly known as Wachovia  
Mortgage, FSB, formerly known as World Savings  
9 Bank, FSB (sued herein as "Wachovia Mortgage  
Corporation; Wells Fargo Bank, N.A.") ("Wachovia")

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18 UNITED STATES DISTRICT COURT  
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20 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

21 RICHARD PEY,

22 Plaintiff,

23 vs.

24 WACHOVIA MORTGAGE CORPORATION;  
25 WELL'S FARGO BANK, N.A.; NDeX WEST,  
LLC; and DOES 1-20, Inclusive,

26 Defendants

27 Case No.: CV11 2922 LB SC

28 **STIPULATION TO EXTEND TIME TO  
RESPOND TO INITIAL COMPLAINT  
BY NOT MORE THAN 30 DAYS (L.R.  
6-1(a))**

Removal Effected: 6/14/2011  
Current response date: 7/21/2011  
New response date: 7/27/2011

**TO THE HONORABLE COURT, PLAINTIFF AND HIS COUNSEL OF RECORD:**

2 Plaintiff Richard Pey and defendant Wachovia Mortgage, a division of Wells Fargo Bank,  
3 N.A., successor by merger with Wells Fargo Bank Southwest, N.A., formerly known as  
4 Wachovia Mortgage, FSB, formerly known as World Savings Bank, FSB (sued herein as  
5 "Wachovia Mortgage Corporation; Wells Fargo Bank, N.A.") ("Wachovia") through their  
6 respective counsel of record, hereby stipulate pursuant to Local Rule 6-1 to extend the date for  
7 Wachovia to respond to Plaintiff's initial Complaint to and including July 27, 2011, a date which  
8 is not more than 30 days from the date a response initially would have been due. In return,  
9 Wachovia agreed to postpone the sale of the property at issue from June 29, 2011 to no earlier  
10 than September 24, 2011, as plaintiff's motion for a preliminary injunction is scheduled to be  
11 heard on September 23, 2011.

12 By this Stipulation, Defendant Wachovia does not waive its right to file a motion to  
13 dismiss as to the pending Complaint and Plaintiff does not waive his right to file a motion to  
14 remand this action to state court. Wachovia agrees to not conduct a foreclosure sale of the  
15 property until the Court rules on the motion for a preliminary injunction.

## 16 || IT IS SO STIPULATED.

17 || Dated: July 21, 2011

THE GOODELL LAW FIRM

By: /s/ Nelson W. Goodell  
Nelson W. Goodell, Esq.  
goodelllawfirm@gmail.com  
Attorneys for Plaintiff, Richard Pey

22 || Dated: July 21, 2011

**ANGLIN, FLEWELLING, RASMUSSEN  
CAMPBELL & TRYTTEN LLP**

By: /s/ Raymond M. Collins  
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Wachovia Mortgage, a division of Wells Fargo  
Bank, N.A., successor by merger with Wells Fargo  
Bank Southwest, N.A., formerly known as  
Wachovia Mortgage, FSB, formerly known as  
World Savings Bank, FSB (sued herein as



1 "Wachovia Mortgage Corporation; Wells Fargo  
2 Bank, N.A.") ("Wachovia")  
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## **CERTIFICATE OF SERVICE**

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the city of Pasadena, California; my business address is Anglin, Flewelling, Rasmussen, Campbell & Trytten LLP, 199 S. Los Robles Avenue, Suite 600, Pasadena, California 91101-2459.

On the date below I served a copy of the following document described as:

**STIPULATION TO EXTEND TIME TO RESPOND TO INITIAL COMPLAINT BY  
NOT MORE THAN 30 DAYS (L.R. 6-1)**

on all interested parties in said case addressed as follows:

**Served Electronically via Court's CM/ECF System:**

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**BY MAIL:** By placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in Pasadena, California, in sealed envelopes with postage fully thereon.

**FEDERAL:** I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. This declaration is executed in Pasadena, California, on **July 21, 2011**.

Mark Betti  
(Print name)

Mark Betti  
(Signature)